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Docket No.: PB340P2C2  
(PATENT)

4/1/03  
JMS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Choi et al

Application No.: 09/765,272

Group Art Unit: 1645

Filed: January 22, 2001

Examiner: P. Duffy

For: *Streptococcus pneumoniae* Antigens and  
Vaccines

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR § 1.56**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorney for Applicants hereby directs the Examiner's attention to references AA-AB listed on the attached Form PTO/SB/08.

Copies of references AA-AB were submitted by Applicants or cited by the Examiner in connection with U. S. Patent Application Serial No. 08/961,083, filed October 30, 1997, to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the above-listed file for copies of reference(s) AA-AB.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR § 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed references is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), no fee is believed due in connection herewith. However, should the Patent Office determine otherwise, please charge any required fee or credit any overpayment in connection with this submission to our Deposit Account No. 08-3425.

Dated: March 3, 2003

Respectfully submitted,

By L. J. Hymel

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